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DRAFT- 10.9.17  
Western Washington Tribal Treaty Rights  
Issue Update

Introduction

Since 2012, federal agencies have coordinated a response to the [Western Washington Treaty Rights at Risk \(TRAR\) call to action](#) and since 2015 federal agencies have focused that response on six TRAR issues. See appendix A for description of original six issues. Federal agencies have made significant progress on some issues such as timely approval of hatchery genetic management plans, continue to work on others like protecting ESA habitat landward of the current USACE jurisdictional boundary, and for some issues, like USDA information transparency, are unlikely to make progress unless there are changes in the Farm Bill.

In addition, since 2015, potential Treaty Rights issues have emerged that may require federal attention and cooperation. The following is a status update on the six TRAR issues and a list of emerging Treaty Rights issues that federal agencies may need to share information on and/or consider addressing in FY 2018

Six TRAR issues

Issue (2015 description)	FY 2017 status	FY 2018 work ahead	FY 2018 related PS FTF* and PS Action Agenda priorities
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2. USACE/EPA/NOAA: Tribes asked USACE to use a jurisdictional line of Highest Astronomical Tide vs the current line, Mean Higher High Water.	EPA, NOAA and the Corps drafted a technical report on options for the Corps to consider as its nearshore jurisdictional line.	Exh. 5 - Deliberative Process	

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\* Puget Sound Federal Task Force

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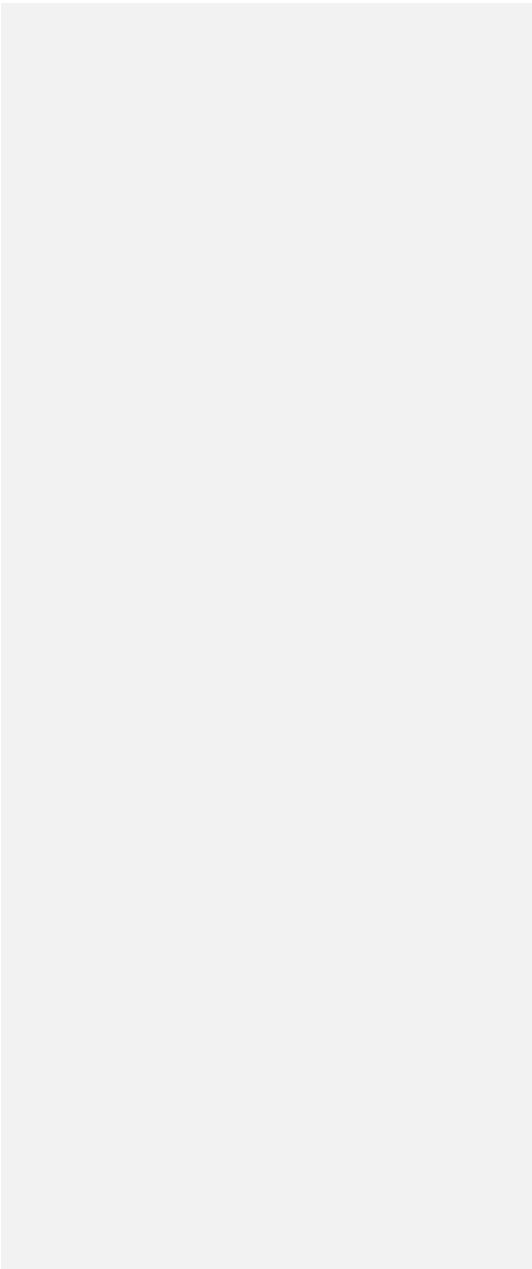
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2. USACE/EPA/NOAA: Shoreline armoring: Protection of ESA habitat landward of the Corps Clean Water Act jurisdictional boundary. Consider options in coordination with federal and state partners that may be implemented to protect ESA species and habitat.

**Background:** In 2014-2015, Puget Sound Tribes asked the Corps to use a jurisdictional line of Highest Astronomical Tide vs the current line, Mean Higher High Water. Exh. 5 - Deliberative Process

**Update:** On August 21, 2017, the Corps Division hosted a meeting with EPA, NOAA and state agencies to explore options for enhanced protection and restoration of the nearshore. Exh. 5 - Deliberative Process

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